

1 Douglas A. Sears, Esq. (SBN 48646)
Matheny Sears Linkert & Jaime, LLP
2 3638 American River Dr.
Sacramento, CA 95864-5901
3 Telephone: 916.978.3434
Facsimile: 916.978.3430
4 dsears@mathenysears.com

5 Daniel J. Scully, Esq.
Clark Hill, PLC
6 500 Woodward Avenue, Suite 3500
Detroit, MI 48226-3435
7 Telephone: 313.965.8300
Facsimile: 313.965.8252
8 dscurly@clarkhill.com

9 Jeffrey F. Peck
Ulmer & Berne LLP
10 600 Vine Street, Suite 2800
Cincinnati, OH 45202
11 Telephone: 513.698.5010
Facsimile: 513.698.5011
12 jpeck@ulmer.com

13 Attorneys for Defendant Crown Equipment Corporation
dba Crown Lift Trucks
14

15 UNITED STATES DISTRICT COURT
16 EASTERN DISTRICT OF CALIFORNIA
17

18 CYNTHIA MAHON and GARY MARKLEY,

19 Plaintiffs,

20 v.

21 CROWN EQUIPMENT CORPORATION,
dba CROWN LIFT TRUCKS, and DOES 1
22 through 50, inclusive.

23 Defendants.
24

Case No. 2:03-cv-01763-MCE-DAD

**STIPULATION REGARDING TRIAL DATE
AND FINAL PRETRIAL CONFERENCE;
ORDER**

25 IT IS HEREBY STIPULATED by and between the parties, through their respective
26 attorneys of record, in accordance with Local Rule 83-143, as follows:

27 ///

28 ///

1 1. After reviewing the Court's October 29, 2007, Minute Order continuing the Trial
2 Date and Final Pretrial Conference, it was determined that the new trial date ordered by the Court
3 presented scheduling problems and, therefore, counsel for Plaintiff and counsel for Defendant
4 conferred about a trial date that is agreeable to both parties.

5 2. Both parties have multiple expert witnesses they intend to call at trial and the
6 parties' discussions about viable trial dates considered the coordination of the schedules of the
7 experts and counsel.

8 3. After reviewing and discussing those considerations, the parties agreed upon May
9 5, 2008, as the date for commencement of trial.

10 4. Counsel for the Defendant consulted with the Court regarding the parties' desire to
11 agree upon a new trial date and it was suggested that the parties submit a Stipulation and Proposed
12 Order.

13 5. Therefore, the parties stipulate and propose the Trial Date and the Final Pretrial
14 Conference be scheduled as follows:

15 (a) Final Pretrial Conference on April 4, 2008, at 9:00 a.m.

16 (b) Trial to commence on May 5, 2008, at 9:00 a.m.

17 IT IS FURTHER STIPULATED that this Stipulation may be signed in counterparts and
18 that a signature by facsimile shall be deemed counsel's original signature.

19 DATED: _____ CLARK HILL, PLC

20
21 By: _____
22 Daniel J. Scully
23 Attorneys for Defendant Crown Equipment Corporation
 dba Crown Lift Trucks

24 DATED: _____ KERSHAW, CUTTER & RATINOFF, LLP

25
26 By: _____
27 C. Brooks Cutter
28 Kerrie D. Webb
 Attorneys for Plaintiffs

ORDER

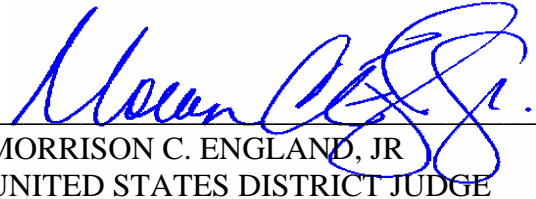
GOOD CAUSE APPEARING THEREFOR,

IT IS HEREBY ORDERED that the above Stipulation between all parties is hereby approved as follows:

The January 11, 2008 Final Pretrial Conference is vacated and continued to April 4, 2008 at 9:00 a.m. in Courtroom 3. The Joint Final Pretrial Statement is due not later than March 14, 2008. The February 11, 2008 Jury Trial is vacated and continued to May 5, 2008 at 9:00 a.m. in Courtroom 3.

IT IS SO ORDERED.

DATED: December 4, 2007


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE